
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Drexel University)	File No. EB-11-PA-0195
Licensee of Radio Station KLZ411)	
Philadelphia, Pennsylvania)	NOV No. V201232400002
)	
)	

NOTICE OF VIOLATION

Released: October 7, 2011

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to section 1.89 of the Commission's Rules¹ to Drexel University, licensee of Private Land Mobile Station KLZ411 in Philadelphia, Pennsylvania.
2. On September 29, 2011, an agent of the Enforcement Bureau's Philadelphia Office monitored radio transmissions on the frequency 451.275 MHz from Station KLZ411 located at 34th and Race Streets, Philadelphia, Pennsylvania and observed the following violations:
 - a. 47 C.F.R. § 90.425(a): "Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section. If the station is employing either analog or digital voice scrambling, or non-voice emission, transmission of the required identification shall be in the unscrambled mode using A3E, F3E or G3E emissions, or International Morse, with all encoding disabled." Between 11:54 a.m. and 12:14 p.m. on September 29, 2011, the agent observed that Station KLZ411 did not transmit its call sign identification on the frequency 451.275 MHz using A3E, F3E or G3E emissions.²

¹ 47 C.F.R. § 1.89.

² Drexel University asserts that it was in compliance with the requirements of section 90.425(a) of the rules by transmitting the call sign identification by voice in the English language across the repeater system. However, all transmissions from the 451.275 MHz including the call sign identification were in a digital format using FXD and FXE emissions. Because Station KLZ411 employs non-voice emission, Drexel University must transmit the call

Federal Communications Commission

- b. 47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section.” At the time of inspection, Drexel was operating a repeater station on the frequency 451.275 MHz from an unauthorized location.³

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,⁴ and section 1.89 of the Commission's Rules, Drexel University must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by Drexel University. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Drexel University at its address of record.

sign by voice in the English language using A3E, F3E or G3E emissions or in International Morse Code.

³ The license authorizes Drexel University to operate its 451.275 MHz station from 32nd and Chestnut Streets, Philadelphia, Pennsylvania at the coordinates 39-57-08.4 North Latitude 075-09-49.6 West Longitude. Drexel University was actually operating the 451.275 MHz station from 34th and Race Streets, Philadelphia, Pennsylvania near the coordinates 39-57-30 North Latitude 075-11-29 West Longitude.

⁴ 47 U.S.C. § 403.

Federal Communications Commission

5. The Privacy Act of 1974⁵ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Northeast Region
Enforcement Bureau

⁵ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁶ 18 U.S.C. § 1001 *et seq.*